

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

**STEPHEN COYNE**

**V.**

**WINDSTREAM COMMUNICATIONS**

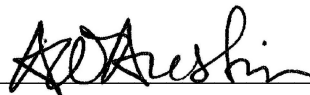
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**A-14-CV-630-AWA**

**ORDER**

Before the Court is Plaintiff Stephen Coyne's Unopposed Motion to Seal Documents 49-4 Through 49-9 (Dkt. No. 53). By his motion, Coyne seeks to seal depositions that were inadvertently filed in their entirety as attachments to Coyne's Motion for Partial Summary Judgment (Dkt. No. 49). The day after filing his original summary judgment motion, Coyne filed an Amended Motion for Partial Summary Judgment (Dkt. No. 52), replacing the full deposition transcripts with excerpts, and revising citations to correlate with the new Appendix (Dkt. No. 52-1). Because the amended motion supplanted the original motion in its entirety, the deposition transcripts Plaintiff seeks to seal have effectively been withdrawn. Rather than seal the transcripts, it thus makes more sense to simply strike the original motion for summary judgment. **ACCORDINGLY**, the Court hereby **ORDERS** that the Clerk remove from the docket of this case Coyne's Original Motion for Partial Summary Judgment (Dkt. No. 49), and **FURTHER ORDERS** that Coyne's Unopposed Motion to Seal Documents 49-4 Through 49-9 (Dkt. No. 53) be **DENIED AS MOOT**.

SIGNED this 5<sup>th</sup> day of January, 2016.



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ANDREW W. AUSTIN  
UNITED STATES MAGISTRATE JUDGE